



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Anthony George Standfast Piper et al.
Application No. : 10/089,037
Filed : July 24, 2002
Title : INSECT TRAP
Group/Art Unit : 3643
Examiner : Jordan Lofdahl
Docket No. : DPC0010

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P.O. Box 1450
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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

On or about December 9, 2002, the undersigned received a phone call from Examiner Lofdahl regarding a Restriction Requirement for the above-mentioned application. The application had 30 pending claims, where claims 1 and 20 were both independent claims. The examiner requested an election between claims 1-19 and 20-30.

After conferring with our client, the undersigned faxed in an Amendment on December 18, 2002, to the U.S. Patent Office. The Preliminary Amendment amended independent claim 20, into a dependent claim, making moot the restriction request.

Attached is a true copy of the correspondence which was filed, including a Certificate of Transmission by Facsimile, dated December 18, 2002. Also attached is a true copy of the sending unit's report confirming that the transmission was successfully transmitted.

Subsequent to our sending of the Preliminary Amendment, and on January 22, 2003, Examiner Lofdahl issued a formal restriction requirement.

The undersigned phoned Examiner Lofdahl on January 29, 2003 and Examiner Lofdahl indicated that we should not respond to the Restriction Requirement, but rather should check the status of the application in approximately two months.

The undersigned telephoned Examiner Lofdahl on April 28, 2003, and was informed that the Preliminary Amendment was never received.

Applicant respectfully requests that the enclosed preliminary amendment be accorded a filing date of December 18, 2002, and that the Restriction Requirement mailed on January 21, 2003 be removed and regarded as timely responded to.

It is believed that no fee is required for this submission, however, if a fee is required, please charge any fees applicable to Deposit Account 02-0387, Baker & Daniels. If the Examiner has any questions relating to this matter he is invited to contact the undersigned at (574) 234-4149.

Respectfully Submitted:

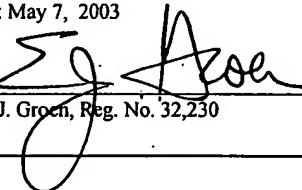


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CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: May 7, 2003



Eric J. Groen, Reg. No. 32,230

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Honorable Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Please amend the above subject application as follows:

20. (Amended) An insect trap as claimed in claim 1, further comprising means for deterring insects from leaving the chamber via the entry port, the deterrent means being positioned within the inner casing adjacent to the entry port.

Attached hereto is a marked-up version of the changes made to the claim by the current amendment. The attached page is captioned "Version With Markings to Show Changes Made."

Respectfully submitted,


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"VERSION WITH MARKINGS TO SHOW CHANGES MADE"

20. An insect trap comprising an enclosure having a tapering wall which tapers inwardly and defines an insect entry opening, and a source of electromagnetic radiation positioned within the enclosure, and as claimed in claim 1, further comprising means for deterring insects from leaving the chamber via the entry opening port, the deterrent means being positioned within the inner casing adjacent to the entry opening port.